

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

KULAHIN RUSLAN
YURIIOVYCH,

Petitioner,

vs.

KULAHINA ZHANNA
HRYHORIVNA,

Respondent.

CV 24-78-BU-DWM

ORDER

After the Ninth Circuit Court of Appeals lifted the January 15, 2025 order staying return of the minor child K.M.R. to Ukraine, (*see* Docs. 78, 83), this Court ordered the parties to file a joint travel plan on or before February 21, 2025, (Doc. 86). Instead, Petitioner filed a proposed travel plan, (Doc. 89), and Respondent requested an extension of the travel date, citing a concern that Petitioner had not made living arrangements in Chernivtsi as required, (Doc. 88). Having considered the parties' filings and the case file as a whole,

IT IS ORDERED that Respondent's motion for an extension of time (Doc. 88) is DENIED. No further extensions of time shall be ordered.

IT IS FURTHER ORDERED that by 12:00 p.m. on February 24, 2025, Respondent must file with the Court a brief summary of the living arrangements that have been made in Chernivtsi for K.M.R.'s return.

IT IS FURTHER ORDERED that, pursuant to the 1980 Convention on the Civil Aspects of International Child Abduction (the "Hague Convention") and the International Child Abduction Remedies Act, 22 U.S.C. §§ 9001 et. seq., K.M.R., whose date of birth is 06/23/21, be returned in the company of Respondent to Chernivtsi within the sovereign nation of Ukraine, and that Petitioner report the delivery of the minor child to the appropriate Central Authority.

This Order is not a determination of the merits of any custody issues within the meaning of Article 19 of the Hague Convention.

The Order of this Court is made under the authority of 22 U.S.C. § 9001(a), conferring original jurisdiction upon this Court and Article 18 of the Hague Convention.

IT IS FURTHER ORDERED that:

(1) Counsel for Respondent shall return K.M.R.'s passport to Respondent for the limited purpose of K.M.R.'s return to Ukraine.

(2) K.M.R. and Respondent shall travel to Warsaw, Poland from Bozeman by flights BA7512, BA48 and BA850 departing Bozeman on February 25, 2025, at 2:53 p.m. and arriving in Warsaw, Poland at 6:45 p.m. on February 26, 2025. After arrival in Warsaw, K.M.R. and Respondent may spend up to one night at a hotel recovering from their flights. No later than 24 hours after arriving in Warsaw, K.M.R. and Respondent shall take a train to Chernivtsi, Ukraine, where Petitioner will meet them. Respondent must provide proof of purchase of these plane tickets and a travel agenda to the Court by 12:00 p.m. on February 24, 2025. Any delays in travel must be promptly communicated to Petitioner. The above itinerary ensures that the K.M.R. will be returned on or before March 1, 2025, regardless of travel delays.

(3) Respondent shall bear the costs of return.

(4) K.M.R. shall reside in Chernivtsi, Ukraine pending a further order of a court of competent jurisdiction.

This Order is effective as of the date written below and shall continue in force and effect until modified or cancelled by this Court.

THEREFORE, TO ANY PEACE OFFICER IN THE STATE OF MONTANA OR TO ANY FEDERAL OFFICER:

You are hereby commanded to assist KULAHINA ZHANNA HRYHORIVNA to remove the minor child from the United States of America, and

to allow KULAHINA ZHANNA HRYHORIVNA to accompany the minor child to Ukraine, giving KULAHINA ZHANNA HRYHORIVNA the right without interference to have the minor child in her lawful temporary custody for the purposes described herein.

DATED this 21st day of February, 2025.


Donald W. Molloy, District Judge
United States District Court